

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
JAMES CONTANT, et al.,	:	
	:	
Plaintiffs,	:	
	:	17 Civ. 3139 (LGS)
-against-	:	
	:	<u>ORDER</u>
BANK OF AMERICA CORPORATION, et al.,	:	
Defendants.	:	
	:	
-----X	:	

LORNA G. SCHOFIELD, District Judge:

WHEREAS, on September 23, 2021, Class Counsel filed a letter requesting review of an unresolved dispute with Claimant AMA Capital LLC and stating Class Counsel’s position on the dispute (Dkt. No. 490);

WHEREAS, on October 7, 2021, AMA filed a response in opposition (Dkt. No. 497);

WHEREAS, on October 18, 2021, Class Counsel filed a reply (Dkt. No. 503);

WHEREAS, on October 19, 2021, a group of settling defendants filed a letter requesting an opportunity to be heard if the dispute is resolved based on the appropriate class definition (Dkt. No. 506);

WHEREAS, Class Counsel advances four reasons for denying AMA’s claim: (1) untimeliness, (2) insufficient documentation, (3) failure to meet the class definition, including through purchase of access to a trading platform and use of a prime broker, and (4) the potential for duplicate recovery of claims submitted in this case and in *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, No. 13 Civ. 7789 (“FOREX”) (Dkt. No. 490);

WHEREAS, the Order dated October 29, 2021, rejected Class Counsel’s timeliness argument, accepted Class Counsel’s documentation argument, ordered Class Counsel to accept any of AMA’s claims that have already been accepted and ordered Class Counsel, settling

defendants and AMA to submit further briefing (Dkt. No. 516);

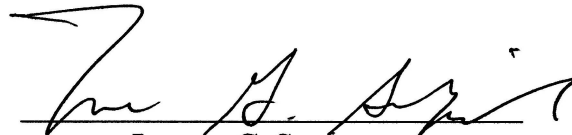
WHEREAS, Class Counsel, settling defendants and AMA filed letters on November 12, 2021 (Dkt. Nos. 522, 525 and 526);

WHEREAS, Class Counsel provides that for each of the claim denials contested by AMA, AMA failed to submit detailed transactional records (Dkt. No. 525). It is hereby

ORDERED that all of the claims denied by Class Counsel are denied because they all lack detailed transactional records as required by the settlement. It is further

ORDERED that Plaintiffs shall file their motion to distribute the settlement proceeds by **November 30, 2021**.

Dated: November 16, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE